

COURTNEY M. PRICE
VICE PRESIDENT
CHEMSTAR



June 25, 2001

BY HAND DELIVERY

The Honorable Christine T. Whitman
Administrator, U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington DC 20460

**RE: OPPTS-00274D: Voluntary Children's Chemical Evaluation Program VCCEP
Sponsorship Commitment for Ethylene Dichloride (CAS No. 107-06-2)**

Dear Administrator Whitman:

The American Chemistry Council Vinyl Chloride Health Committee, on behalf of the companies identified below which manufacture ethylene dichloride (EDC) commits to sponsor EDC in Tier 1 of the pilot Voluntary Children's Chemical Evaluation Program (VCCEP). 65 Fed. Reg. 8 1700-7 18 (Dec. 26, 2000).

In making this commitment, the Health Committee is acting voluntarily and not in response to any legally enforceable mandate. The Health Committee also emphasizes that EPA has recognized that identification of EDC in the VCCEP pilot "does not mean that EPA has made or will make a determination that any uses of the chemical pose significant risks to children's health," and that "EPA may ultimately determine that reasonably anticipated exposures and risks from expected uses do not pose any unique or other concerns for children's health and safety" (65 Fed. Reg. 8 1702).

The EDC producers, through the Health Committee, intend to fulfill this **commitment** by executing and implementing (through the HAP Task Force) an Enforceable Consent Agreement (ECA) pursuant to which they agree to conduct specified toxicity testing in lieu of testing pursuant to the hazardous air pollutants test rule originally proposed by EPA in 1996. These studies will provide new information relevant to an evaluation of the toxicity of EDC. It is intended that this ECA would be signed by HAP Task Force participants and the U.S. Environmental Protection Agency (EPA) within six months of the date of this letter. The start dates for the toxicity testing and submission dates for the final reports shall be as specified in the ECA.

The Health Committee commits to develop a hazard assessment of Tier 1 and existing higher-tier studies (including the studies to be conducted under the ECA). In addition, the Health Committee commits to develop an exposure assessment that meets or exceeds the



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requirements for a Tier 1 Exposure Assessment specified by EPA (65 Fed. Reg. 8 17 11). The Health Committee further commits to develop a risk assessment which integrates these hazard and exposure assessments and characterizes the potential risks to children posed by EDC based on the quality and extent of the available data. The Health Committee will also prepare a data needs assessment that includes a weight-of-the-evidence evaluation of the available hazard and exposure information and assesses whether additional information is needed in order to evaluate the potential risk to children. These will be prepared and submitted in a timely fashion following completion of the ECA testing.

Finally, the Health Committee will prepare a Peer Consultation Document consisting of the four components identified above and will provide three hard copies and an electronic copy to EPA. We understand that EPA will make the Document available to a third-party scientific organization which will distribute it to the Peer Consultation Group and present the assessments and recommendations to the Group. It is anticipated that the Peer Consultation will result in a report to EPA (to be prepared by the third-party contractor) which will include a recommendation as to whether further testing or evaluation of EDC under the VCCEP is or is not necessary.

As part of the foregoing activities, the Health Committee commits (i) to judge existing studies not conducted under Good Laboratory Practices (GLP) guidelines based on their merits, (ii) to generate any new hazard data under **GLPs** and current EPA test guidelines as of the date the testing is initiated, and (iii) to make the hazard and exposure data developed publicly available. Should elements of the VCCEP pilot change in the future, the Health Committee reserves the right to adjust its commitment accordingly.

We trust that this letter is sufficient to express our commitment to sponsor EDC in the first tier of the VCCEP pilot. This commitment is made on behalf of the following EDC producers:

Formosa Plastics Corporation, U.S.A.

Poly One Corporation

Georgia Gulf Corporation

PPG Industries, Inc

Occidental Chemical Corporation

The Dow Chemical Company

Oxy Vinyls, LP

Vulcan Materials Company

If, for any reason, this voluntary initiative should not be undertaken by the Health Committee, then any commitment will devolve to the foregoing companies.

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The technical contact for the Health Committee is as follows:

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Please do not hesitate to contact us if there are any questions about this commitment..

Sincerely yours.

Courtney M. Price
Vice President, **CHEMSTAR**

cc: Charles Auer, Director
Chemical Control Division
Office of Pollution Prevention and **Toxics**

Steve Johnson, Assistant Administrator
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